

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF GEORGIA
AUGUSTA DIVISION

BRANDON BROWN,

Plaintiff,

v.

SAMUEL SULLIVAN, individually
and as acting President
of Paine College, and
PAINE COLLEGE,

Defendants.

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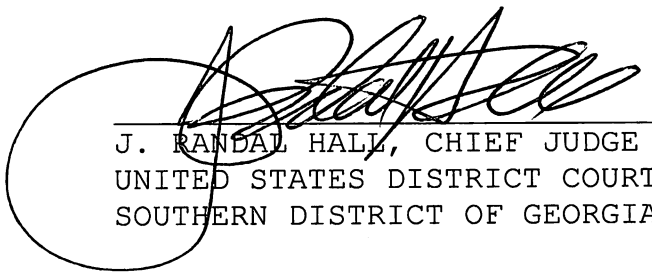
CV 115-035

O R D E R

This case was transferred to this Court from the District of South Carolina under 28 U.S.C. § 1404(a). (Doc. 18.) Since then, both sides have moved for summary judgment. In their briefs, Defendants primarily rely on Georgia law to support their arguments. But when a court transfers a case under § 1404(a), the transferee court must "apply the state law that would have been applied if there had been no change of venue." Van Dusen v. Barrack, 376 U.S. 612, 639 (1964). Thus, because this case was transferred from the District of South Carolina under § 1404(a), the Court will apply South Carolina law when deciding the parties' motions for summary judgment.

Accordingly, the parties are instructed to refile their briefs as follows. Within **14 days** from the date of this order, Defendants must file a consolidated brief in support of their motion for summary judgment and in opposition to Plaintiff's motion for summary judgment, and Plaintiff must file a consolidated brief in support his motion for summary judgment and in opposition to Defendants' motion for summary judgment. These briefs should, as noted, apply appropriate South Carolina law. They should also be comprehensive: the parties should assume that the Court will rely primarily on these briefs when deciding the parties' motions.

ORDER ENTERED at Augusta, Georgia this 29th day of June, 2017.



J. RANDAL HALL, CHIEF JUDGE
UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF GEORGIA